

LYNDON CITY COUNCIL
REGULAR MEETING MINUTES OF
February 19, 2018

The Lyndon City Council met in regular session on Monday, February 19, 2018, 7:00 p.m., at City Hall.

1. CALL TO ORDER: Mayor Morrison called the meeting to order.

- a) ROLL CALL: City Clerk called roll of the City Council. Mayor Morrison and members Bill Patterson, Katie Shepard (7:10), Darrel Finch, Darin Schmitt and Kyle Recob present.

City Staff present: Pat Walsh, City Attorney; Julie Stutzman, City Clerk; David Wilson, Maintenance Supervisor; and Darrel Manning, Chief of Police.

Others Present: Brian Foster, Wes Weishaar, and Bruce Boettcher, BG Consultants; and Tammy Schlingmann, Herald Chronicle.

2. ADOPTION OF MINUTES OF PREVIOUS MEETINGS:

- a) Finch made the motion to approve the regular meeting minutes of February 5, 2018 as written. Patterson seconded, motion carried.

3. CONSENT AGENDA:

- a) Approval of Bills: Patterson made the motion to approve the bills as set forth. Schmitt seconded, motion carried.

4. PUBLIC COMMENTS: None.

5. CORRESPONDENCE TO COUNCIL:

- Pledge of Securities from Lyndon State Bank as of February 2, 2018.
- Copy of a letter from Mediacom dated January 29, 2018 regarding rate adjustments for service.
- Press release from Emergency Management dated February 13, 2018 regarding burn bans and permit information.

6. UNFINISHED BUSINESS:

- a) BID AWARDS FOR SEWER PROJECT: Mr. Foster provided Council a recommendation letter from bid results opened and tabulated on Tuesday, February 13, 2018. He stated they received several bids and after review noted they are well within the project budget, were able to award both project alternates and retained some money remaining for contingency. Mr. Foster provided the Council with an updated project budget after putting in the bids, USACE permit costs, and the alternates being awarded and showing approximately ten percent of the project funds remaining.

Mr. Foster reminded the Council that the project is divided into three separate contracts for bid, which included the contract for mainline, sewer service tap, and wastewater treatment improvements.

Mr. Foster stated the city received seven bids for the mainline project with Reed Dozing and Contracting read as the low bidder. He called the references listed by the contractor and spoke with an engineering firm in Oklahoma that has worked with Reed Dozing on at least eight projects in the past which included several sewer rehabilitation and lagoon projects, familiar with working with KDHE and CDBG, and would work with this company again.

Mr. Foster stated they received four bids for the sewer service taps with Pipe Services, LLC read as the low bidder for that project and that company is located out of Iowa. He stated the treatment portion of the project received six bids with BRB Contractors, LLC read as the low bid and they are a reputable company out of Topeka.

After a lengthy discussion in regards to the project, Patterson made the motion to award Reed Dozing and Contracting, LLC for the construction of Sanitary Sewer Collection System Mainline Improvements in the sum of \$915,360.00 contingent upon KDHE, USDA and CDBG concurrence. Recob seconded the motion, which carried.

Finch made the motion to award Pipe Services, LLC for the construction of Sanitary Sewer Service Tap Improvements in the sum of \$1,484,181.25 contingent upon KDHE, USDA and CDBG concurrence. Shepard seconded the motion, which carried.

Schmitt made the motion to award BRB Contractors, Inc. for the construction of the Wastewater Treatment Improvements plus bid alternates #1 and #2 for the total sum of \$4,331,000.00 contingent upon KDHE, USDA, and CDBG concurrence. Recob seconded the motion, which carried.

Mr. Foster stated all the bids and paperwork would be sent to KDHE, USDA and CDBG for their approval. Once they receive the approvals from the funding agencies, then a notice of award for each project will be sent to the City for the Mayor's signature. After notice of awards have been signed and returned, then BG Consultants will prepare and send the contracts to the contractors with the notice of award and to notify them to prepare their bonds, obtain insurance certificates and execute the contracts. Mr. Foster stated once the contracts have been returned, they will be reviewed by BG Consultants and forwarded to the City Attorney for review. The City Attorney will then sign a form that states the contracts are legal and executed properly. After the City has approved and signed the contracts, then they will be forwarded to USDA for approval and signatures.

Mr. Foster stated a pre-construction meeting would be held with the contractors and the funding agencies before the project begins to discuss timelines and regulations. He stated that each project would have a sign; however, sometimes those can be combined into one if the contractors can agree and possible sites were

discussed.

Mr. Foster stated they have prepared three project packets required by KDHE and need to be signed by the Mayor. It was consensus of the Council to have the City Attorney review the paperwork prior to the Mayor signing them. He asked the City Clerk to add the affidavit of publication for the Advertisement for Bid to the packet and to have her contact them once they have been signed for pick up and they will submit them to KDHE.

The Maintenance Supervisor stated that if any Council member would like to see the progress of the project in any certain area to let him know and he would take them there.

- b) UTILITY BILL ISSUE: The Maintenance Supervisor stated he had no new information for the Council regarding the high water use and that the meter continues to read correctly. He stated he has read the meter multiple times between February 6 and February 19 which shows an average of 107 gallons per day for an approximately use of 2,900 gallons for the month. Mr. Sellers has provided Council an affidavit from his plumber in regards to the absence of plumbing in the house. After a lengthy discussion, Finch made the motion to approve a reduction of the sewer charge for Mr. Sellers for \$100. Schmitt seconded, motion carried.
- c) JONES PARK USE AGREEMENT DRAFT: The City Clerk provided Council with an updated draft of the Jones Park Use Agreement for further review after the changes were made from the previous meeting (Council changes in blue, January 28 meeting changes in red). She stated the draft agreement has been forwarded to USD 421 and the Lyndon Rec Commission for their review. No action was taken by Council. The City Clerk stated the scoreboards are not insured under the City's policy and will contact Richard Burns about them as he donated them. She stated she would also check with Ron Bolz to see if they are covered by the school. It was consensus of the Council to have Ron Bolz attend a meeting to go over the city's insurance policy.

7. NEW BUSINESS:

- a) ANNUAL ASSURANCE STATEMENT TO KDWPT: The City Clerk provided Council with a copy of the annual Assurance Statement from the Kansas Department of Wildlife, Parks, and Tourism that is signed annually by the City in regards to Jones Park. It states that the City as the subgrantee is complying with the operation and maintenance regulations set by KDWPT. Shepard made the motion to approve and authorize the mayor to sign the Assurance Statement. Patterson seconded, motion carried.

8. STAFF REPORTS:

- a) POLICE: Council received a copy of the Officer Activity report.
- b) PLANNING AND ZONING: No meeting due to lack of quorum and there are no pending permits at this time.

- c) PUBLIC WORKS: Council received a copy of the Maintenance Activity report.

The Maintenance Supervisor stated the city limit signs are ordered.

Criqui Construction will be in later next month for demolition of the building and work on the water lagoons.

The removal of the inoperable tornado siren after talking with Parr is scheduled for Thursday; however, weather may delay that process. The Maintenance Supervisor stated the Council might want to look into budgeting funds for replacement of that siren which is centrally located. The estimated cost of a new siren is approximately \$20,000. The City currently has two sirens, one north near the Sheriff's office and one at Jones Park near the pool.

- d) CITY CLERK: The City Clerk provided the Council with a copy of the Clerk's report.

Tree City certification was completed and submitted. The City has been certified for 16 years. The annual Arbor Day Observance date has been set for Saturday, April 21, 2018. The City again will offer trees to residents for \$10 and the deadline to sign up is April 6, 2018.

The auditor will be in the office this week to prepare the single audit for the sewer project.

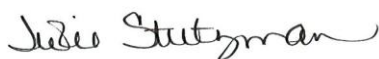
9. COUNCIL/MAYOR COMMENTS AND REPORTS:

Patterson stated at the next meeting students from LHS will attend the meeting in regards to community service projects.

Shepard stated she had been approached by residents in regards to mattresses and trash at some of the residences in town that have not been picked up. It was noted that the contract with the trash company states only one piece of furniture is picked up a week. It was noted there are several poly carts in town with broken lids.

10. EXECUTIVE SESSION: Patterson made the motion to recess to executive session for 10 minutes for non-elected personnel. Shepard seconded, motion carried. Council reconvened with no binding action taken.

11. ADJOURNMENT: Finch made the motion to adjourn to Monday, March 5, 2018 at 7:00 p.m. for regular meeting. Patterson seconded, motion carried.



Julie Stutzman, City Clerk